UNITED NATIONS

Convention to Combat Desertification

Distr.
GENERAL

ICCD/COP(4)/3/Add.7
9 November 2000

ENGLISH
Original: ENGLISH/FRENCH/
RUSSIAN

CONFERENCE OF THE PARTIES
Fourth session
Bonn, 11-22 December 2000
Item 7 (h) of the provisional agenda*

# IMPLEMENTATION OF THE CONVENTION

## CONSIDERATION OF ADDITIONAL PROCEDURES OR INSTITUTIONAL MECHANISMS TO ASSIST THE CONFERENCE OF THE PARTIES IN REGULARLY REVIEWING THE IMPLEMENTATION OF THE CONVENTION

**Note by the secretariat**

CONTENTS


| | | Paragraphs | Page |
|---|---|---|---|
| I. | INTRODUCTION | 1 - 5 | 3 |
| II. | BACKGROUND INFORMATION | 6 - 11 | 3 |
| III. | COMPILATION OF SUBMISSIONS | | 4 |
| | A. Brazil | | 4 |
| | B. Canada | | 5 |


* ICCD/COP(4)/1.

GE.00-64210 (E)

CONTENTS (continued)


| | | | Paragraphs | Page |
|---|---|---|---|---|
| | C. | Ghana | | 8 |
| | D. | Madagascar | | 9 |
| | E. | Nigeria on behalf of the Group of 77 and China | | 9 |
| | F. | Portugal on behalf of the European Union and its member States | | 14 |
| | G. | Saudi Arabia | | 16 |
| | H. | Switzerland | | 16 |
| | I. | Turkey | | 18 |
| | J. | Uzbekistan | | 19 |
| IV. | SUMMARY OF SUBMISSIONS | | 12 - 44 | 19 |
| | A. | Foreword | 12 - 16 | 19 |
| | B. | Summary of written proposals received from country parties | 17 - 44 | 19 |

## I. INTRODUCTION

1. By its decision 6/COP.3, the Conference of the Parties invited the Parties and other interested institutions and organizations, including non-governmental organizations, to submit written proposals, no later than 30 April 2000, on the need for the establishment of a committee to review the implementation of the Convention. By the same decision, the secretariat was requested to compile, summarize and circulate these submissions in order to facilitate consideration by the COP and take a decision at its fourth session and, if necessary, at its fifth session on how to further develop the existing review system.

2. A total of 10 submissions were received from March to July 2000. Submissions were sent by Brazil, Canada, Ghana, Madagascar, Nigeria on behalf of the Group of 77 and China, Portugal on behalf of the European Union and its member States, Saudi Arabia, Switzerland, Turkey and Uzbekistan. This note sets forth the record of these contributions, and also a summary of proposals pertaining to additional procedures or institutional mechanisms to assist the Conference of the Parties in regularly reviewing the implementation of the Convention.

3. Section II of this document provides background information on the question of reviewing the implementation of the Convention, which has evolved through various decisions of the Conference of the Parties and documents produced to this effect.

4. Section III reproduces proposals and suggestions submitted by Parties and regional Groups on the establishment of a committee to review the implementation of the Convention. Most written proposals were in English, except one in Russian and another one in French. These are herewith compiled and the secretariat has made every effort to ensure the correct reproduction of the texts as submitted.

5. Section IV contains the summary of submissions and highlights the converging views of Parties on various aspects pertaining to the establishment of a committee to review the implementation of the Convention. Concerning content and format of presentation, the submissions present diverse approaches. Although decision 6/COP.3 did not explicitly invite Parties to comment on the ad hoc working group established by the same decision, many submissions dealt also with its mandate, tasks, composition, output and other aspects regarding its functioning.

## II. BACKGROUND INFORMATION

6. The Convention, in article 22, paragraph 2 (a), provides that the Conference of the Parties shall regularly review the implementation of the Convention and the functioning of its institutional arrangements in the light of the experience gained at the national, subregional, regional and international levels and on the basis of the evolution of scientific and technological knowledge.

7. The Convention, in article 26, paragraph 1, on procedures for communication of information, provides that each Party shall communicate to the Conference of the Parties at its

ordinary sessions, through the permanent secretariat, reports on the measures which it has taken for the implementation of the Convention. In paragraphs 2 to 5 of the same article, the different obligations of Parties in reporting to the COP are determined.

8. With regard to the review of the implementation process, it is important to recall that decision 11/COP.1 outlined the specific objectives of the procedures for the communication of information and review of information, which are: (a) to ensure the effective assessment of progress towards achieving the objectives of the Convention and to enable the Conference of the Parties to make appropriate recommendations to further those objectives; (b) to exchange information and data among Parties in order to maximize the benefits of successful measures and initiatives under the Convention; (c) to ensure that the Committee on Science and Technology and the Global Mechanism have access to the information and data necessary to carry out their mandates; and, (d) to ensure that information on implementation is in the public domain and available to the international community, particularly intergovernmental and non-governmental organizations, and other interested entities.

9. In the same decision, it was also stated that the review of the implementation shall be based on reports by Parties on the implementation of the Convention, together with advice and information provided by the Committee on Science and Technology and the Global Mechanism consistent with their respective mandates and such other reports as the Conference of the Parties may call for.

10. The need to establish additional procedure or institutional mechanisms to assist the Conference of the Parties in its task of regularly reviewing the implementation of the Convention was considered at the second session of the COP. By its decision 10/COP.2, the Conference of the Parties decided to transmit for consideration at its third session a draft decision proposed by Indonesia on behalf on the Group of 77 and China and invited Parties to make submissions on the review of the implementation of the Convention. The secretariat received one submission, from the Government of Germany on behalf of the European Union and its member States (ICCD/COP(3)/17).

11. At its third session, the Conference of the Parties initiated the review of the implementation of the Convention and considered the reports from affected African country Parties as well as reports from developed country Parties, United Nations agencies and bodies, international and non-governmental organizations, as well as the submission from Germany (ICCD/COP(3)/17). By decision 6/COP.3, in order to draw conclusions and propose concrete recommendations on further steps in the implementation of the Convention, an ad hoc working group was established to review and analyse in depth, at the fourth session of the Conference of the Parties, reports submitted at its third session and reports which will be submitted at its fourth session.

## III. COMPILATION OF SUBMISSIONS[1]

### A. BRAZIL

The Brazilian Government supports the establishment of a committee to review the implementation of the Convention.

Brazil considers useful to have, as the Convention on Climate Change has it, a subsidiary body with the mandate to carry out on a regular basis the assessment of the progress achieved in the implementation of the commitments, in particular those of the Developed Countries, whose fulfilment is essential for the promotion of the efforts to combat desertification and serious drought. Brazil also understands that the committee can contribute to strengthening the commitment of the Parties to the future of the Convention, since the new body would constitute a locus to the consideration of the efforts of the international community towards the implementation of the Convention. Likewise, Brazil has been supporting the setting up of a similar body at the Convention on Biological Diversity, which has so far only one body, namely in the area of technical, technological and scientific assessment.

## B. CANADA

### IMPLEMENTATION REVIEW AT COP.4
### PROPOSALS ON THE OPERATION OF THE AD HOC WORKING GROUP

In order to ensure that the work of the Ad Hoc Working Group (AHWG) on implementation at COP.4 will be conducted in the most efficient and effective manner, there are four key aspects the Parties must consider: input; process; output and outcome. Obviously the goal of the exercise is to achieve the most satisfactory outcome possible for this experimental session. Therefore we must be realistic in terms of the expected **outcomes** of this process:

1. Agreement on the part of parties that at COP.4 we have established an improved process for implementation review under this convention over that which was achieved at COP.3; and

2. Agreement on the continuation and improvement of this ad hoc process for 2nd round implementation review at COP.5

and therefore clear in defining the **outputs** we would like to see at the end of COP.4:

1. A level of satisfaction on the part of the affected Parties in the Regions under review (including Africa) that the process has provided a reasonable review of the implementation underway in their respective regions; and

2. A level of satisfaction that the review process has provided some concrete discussion and analysis contained in the Report which will provide useful feedback into their implementation processes.

In order to obtain these outcomes/outputs the **process** in terms of the structure and function of the AHWG will require strategic design. Important issues to be addressed will include substantive dimensions, modalities of participation, and administrative and logistic detail.

**Substantive**

1. ***Raison d'être*** **- analysis, advice and lessons learned;**

2. Type of review that is expected from this process (thematic, sectoral, etc.);

3. Contribution from other actors including NGOs and subsidiary body.

Modalities of participation

1. Limiting size to increase efficiency of body;

2. Representativeness of participation (per region, donor);

3. Representativeness of stakeholders (NGOs, multilateral, subsidiary bodies, etc.).

Administrative

1. The role of the Secretariat of the Convention in the review, particularly re compilation, analysis and preparation of documentation;

2. Logistics such as agenda, time allocations and organization of work.

The success of this process, of course, will be dependent on the **inputs** which are provided in advance of COP.4. While there are already some specific items underway (e.g. national reports, donor reports, voluntary reports, etc.) the improved effectiveness of this process will in part be reliant on both improvements to the quality of these documents as well as additional preparatory and analytical input by Parties, the Secretariat and from subsidiary bodies of the Convention.

Accepting as given the above defined outcome and output, the following is a Canadian exploration of some scenarios involving process and input variables for the operations of the AHWG at COP.4.

**1. Substance and organization of work**

First, it is important to establish the implementation review process as an open, flexible, experience-sharing and lessons-learned process, and NOT a compliance assessment. Its purpose is to contribute advice to parties to improve implementation, as in article 22 of the Convention. Therefore, the output product, instead of a decision or recommendations as it occurred at COP.3, should be an assessment of implementation including an overview of important lessons learned.

The substance of the implementation assessment will be in part determined by the selection of the lens by which review is undertaken: it should be geographic (regional, subregional, and perhaps even country level - where lessons are apparent) and probably also thematic (based on key themes identified in the Convention) as well as sectoral based on sectors of intervention identified in a plurality of NAPs.

Short, analytical presentations (summaries) could be prepared in advance and made by the subregional representatives on implementation in their subregion as an introduction to each day's work. This could include information on regional and subregional trends in Official

Development Assistance. Then review could proceed according to established themes, and guided by the benchmarks and indicators. For example, the involvement of civil society (including women), the enactment or review of policies to create an enabling environment, financial issues, scientific and technological issues (traditional knowledge, early warning systems), etc.

A key substantive element is the contribution of the NGO community both in terms of their involvement in the assessment of NGO implementation and/or their involvement in the national implementation process.

The output AHWG Report should reflect the *raison d'etre* and the substantive directions identified by parties. It could be drafted by the chairperson(s) of the AHWG with assistance from the Secretariat, and if possible, input from subsidiary bodies, particularly the CST, as well as representatives of the NGO community.

This document could then be submitted to the COP for approval, along with any procedural recommendations deemed necessary for further improvement of the implementation review process.

## 2. Modalities of participation

*Representative body*: in order to allow for active discussion, and to avoid over-stretching delegations' capacities, participation to the AHWG should be restricted. It should be limited to W of developing countries per subregion (only those which have submitted reports), X from developed donor countries, and it should include Y representatives from the NGO community, as well as a representative from the Global Mechanism and the Secretariat. In total, this would mean a maximum of Z representatives at each day's session of the AHWG.

## 3. Administrative issues and logistics

It is evident from debate at COP.3 that Parties expected a more in-depth review. A primary obstacle to this was the amount of time dedicated to the process.

No. of days:

Given the number of reports submitted at COP.3, and the commitment to review all regions (including Africa) at COP.4, the AHWG should be allocated a minimum of four days on the agenda, one each for Africa, Asia, Americas, Mediterranean and other (NB affected developed country parties could also be invited to present their reports during the course of these four days). The consideration of activities of NGOs typically included on the official agenda (two half-day sessions) should be maintained in addition to time allocated to the AHWG. An additional one-day session should be provided for the AHWG to conduct an assessment of the review process and make recommendations pertaining to future reviews. This assessment could take into account submissions made by Parties as per decision 6/COP.3, as well as experience gained from the COP.4 review and relevant lessons learned.

Location on agenda:

These four days should occur in the first week of the COP, in parallel to the CST meeting. Each region to be given a day (Africa, Latin America and Caribbean, Asia, Mediterranean and other affected countries), with review of developed country reports interspersed over these four days (effort could be made to ensure donor/geographic rationale). Situation on the agenda is key as early review will allow the drafting group the full second week to draft a document. The additional day should be at the end of second week to allow for consideration of this drafting process as well as review of process and the drafting of recommendations.

**4. Input**

Implementation review at COP.4 should primarily be based on review of reports submitted by Parties, also it should consider reports submitted by NGOs, IGOs, and subsidiary bodies of the CCD according to the same subregional and thematic foci. The role of the secretariat in this review process, in terms of preparatory analysis, could be substantially more important than in the past. Responsibilities could include:

- communicating to Parties the proposed procedure for the review to take place at COP.4, and requesting regional groups to undertake advance identification of designated of regional/subregional representatives to participate in the AHWG;

- communicating with these designated country/regional representatives to request the preparation of analytical pieces to be presented at COP.4;

- in addition to compilation, the Secretariat could be required to undertake some preliminary analysis based on reports and to propose a "working document skeleton" to be used by the AHWG drafting group. This structure might already contain the framework for regional/subregional focus, the identification of the prominent themes and/or sectoral issues as well as lessons learned section with an initial compilation of already stated lessons learned for review.

Quality of input and depth of analysis of National Reports was a significant issue affecting implementation review at COP.3. The Secretariat has so far published Help Guides for reporting in all regions, including a summary of the reporting procedures for developed country Parties. In this first round of review, little can be done to substantially improve contents of reports, the AHWG could recommend such improvements as deemed necessary for work of future ADWG at COP.5 and beyond.

## C. GHANA

### PROPOSALS ON THE ESTABLISHMENT OF A COMMITTEE TO REVIEW THE IMPLEMENTATION OF CONVENTION

We acknowledge with thanks, receipt of letter number GGL/90.008/2000 on the above-mentioned subject.

We forward the under listed proposals for the consideration of the Committee to review the implementation of the Convention.

1. Development of an informal working relationship with the various environment Conventions and their harmonization to enhance efficient use of resources to implement these Conventions.

2. UNCCD to spearhead discussions with the World Trade Organization (WTO), the International Monetary Fund (IMF), etc. on unfair trade arrangements with perpetuate poverty and land degradation.

3. Acceptance within the GEF of desertification as a direct focal area, rather than this being indirectly addressed under other focal areas. This will ensure direct general resources being made available through GEF for desertification activities.

## D. MADAGASCAR

With regard to decision 6/COP.3 on the procedure for the review of the implementation of the Convention, the Malagasy Government has no particular objections to the establishment of an ad hoc working group to review and analyse reports submitted at the third session and reports which will be submitted at the fourth review.

## E. NIGERIA ON BEHALF OF THE GROUP OF 77 AND CHINA

### REVIEW OF THE IMPLEMENTATION OF THE CONVENTION TO COMBAT DESERTIFICATION

### G77 AND CHINA'S WRITTEN PROPOSALS AND SUGGESTIONS ON THE NEED FOR THE ESTABLISHMENT OF A COMMITTEE TO REVIEW THE IMPLEMENTATION OF THE CONVENTION TO COMBAT DESERTIFICATION

### INTRODUCTION

1. The first session of the Conference of the Parties adopted decision 11/COP.1 I on "Procedures for the communication of information and review of implementation". This decision underlines the review process but does not indicate how to review and analyse in depth reports submitted by parties, organizations concerned and relevant non-governmental organizations (NGOs). In this regard, the third session of the Conference of the Parties adopted decision 6/COP.3 on procedures for the review of the implementation of the Convention. By the operative paragraph 3 of the decision 6/COP.3, the Conference of the Parties "decides to establish an ad hoc working group to review and analyse in depth, at the fourth session, reports submitted at its third session and reports which will be submitted at its fourth session in order to draw conclusions and propose concrete recommendations on further steps in the implementation of the Convention".

2. In operative paragraph 4 of the same decision, the COP "recalls that reports by Parties, together with advice and information provided by the Committee on Science and Technology and Global Mechanism consistent with their respective mandates and such other reports as the Conference of the Parties may call for, shall constitute the basis of the review of the implementation by the Conference of the Parties, and therefore invites the Committee on Science and Technology and the Global Mechanism to provide advice and information to be used for the review of the implementation of the Convention at its fourth session".

3. In addition to operative paragraphs 3 and 4, the COP in operative paragraph 5 "invites the Parties and the other interested institutions and organizations, including non-governmental organizations, to submit written proposals and suggestions on the need for the establishment of a Committee to Review the Implementation of the Convention no later than 30 April 2000, to be compiled, summarized and circulated by the secretariat in order to further develop the existing review system and to facilitate consideration, and take - decision at its fourth session and, if necessary, at its fifth session".

4. It is important to recall that, G77 and China since the first session of the COP in 1997, proposed the establishment of the "Committee to Review the Implementation of the Convention" (CRIC) as subsidiary body of the Conference of the Parties. In this framework, decisions 10/COP.1 and 10/COP.2 were adapted respectively in 1997 and 1998. The issue is still in discussions and negotiations among representatives of Parties, and non-State actors. The G77 and China hope that their proposal; and/or suggestions contained in this document will contribute to facilitate the understanding of all delegations and the work of the COP during its fourth session on the need for the establishment of a Committee to Review the Implementation of the Convention to Combat Desertification.

5. In this context, the G77 and the China's proposals and/or suggestions will focus in the following topics:

(a) Definition of the review of the implementation of the UNCC;

(b) Determination of the objectives of the review;

(c) Identification of the needs for the establishment of a Committee to Review the Implementation of the Convention;

(d) Proposals for the functioning of the Committee; and

(e) Suggestions on how to draw conclusions and propose concrete recommendations on further steps in the implementation of the UNCCD.

## A. DEFINITION OF THE REVIEW OF THE IMPLEMENTATION

6. The review of the implementation of the Convention is a key element of holistic oversight, which facilitates results-based management, helps to ensure continuous learning, serves as an input into the assessment of the progress made by Parties and provides comprehensive and up-to-date material.

7. On the basis of this definition, the review of the implementation should be a tool, an instrument that enables the Conference of the Parties to:

- Maintain an ongoing dialogue among all Parties and other actors on the progress made in implementing the Convention;

- Assess progress toward expected results; identify any need for adjustments to action programs, projects and activities; and

- Contribute to maintain an institutional record of emerging and the difficult issues deriving from the implementation.

## B. DETERMINATION OF THE OBJECTIVES OF THE REVIEW

8. The objectives of the review are to:

- Analyse in depth reports submitted by Parties as well as by relevant organs, funds and programs of the United Nations system and other intergovernmental and non-governmental organizations in order to draw conclusions and propose concrete recommendations on further steps in the implementation of the Convention;

- Closely look at the reasons why implementation is lacking be find, despite the numerous and strong commitments made by the international community on desertification, drought and land degradation issues;

- Identify obstacles and difficulties in implementing the Convention, suggest clear direction, based on lessons learned; get a clear picture of success factors and develop guidelines for the future;

- Promote experience sharing and information exchange among country Parties and all other and interested institutions and organizations;

- Encourage learning on a broad range of substantive and emerging issues, including best practices;

- Focus on agreeing benchmarks and indicators for the future. Concrete targets and agreements on their monitoring can help create the necessary pressure to bring about change;

- Provide an assessment of the financial resources and other supports received by affected developing countries to the achievement of the objectives of the Convention; and,

- Inform the donors and international community about the use of resources and other supports provided to affected developing countries to implement the Convention.

## C. IDENTIFICATION OF THE NEEDS FOR THE ESTABLISHMENT OF A COMMITTEE TO REVIEW THE IMPLEMENTATION OF THE CONVENTION

9. The large majority of Parties to the Convention felt that there is a need to put in place or establish a Committee to Review the Implementation of the Convention, which would help them to reach the above-mentioned objectives of the review. Consequently, the G77 and China, since the first session of the Conference of the Parties in 1997, proposed the establishment of a Committee to Review the Implementation of the Convention, as a subsidiary body of the Conference of the Parties.

10. The need for the establishment of the committee is justified by:

- The fact that the redactors of the Convention omitted to put of on place this indispensable subsidiary body of the Conference of the Parties;
- The objectives and the scope of the review;
- The necessity to identify together main obstacles and difficulties as towards implementation and identify feasible strategies to overcome them;
- The wish expressed by the large majority of country Parties to the Convention and supported by many other actors such as NGOs and intergovernmental organizations.

## D. FUNCTIONING OF THE COMMITTEE TO REVIEW THE IMPLEMENTATION OF THE CONVENTION

11. The Committee should be open-ended with the participation of all Parties and observers to the Convention as well as of the representatives of international, intergovernmental and non-governmental organizations. The meetings or sessions of the Committee should be organized in parallel with the ordinary sessions of the Conference of the Parties and, if necessary, between two ordinary sessions.

12. The Committee should have a bureau of five members: a President, three (3) vice-presidents and a Rapporteur. The election of the members of the bureau should follow the existing procedure for the designation of the members of the bureau of subsidiary bodies. The President of the Committee to Review the Implementation of the Convention shall be a member of the bureau of the Conference of the Parties as it is the case for the President of the Committee on Science and Technology.

13. The costs for the functioning of the Committee should be provided under the core budget on the chapter titled "Resource requirement for substantive support to the Conference of the Parties and its subsidiary bodies".

14. Regarding the functioning of the Committee, the Secretariat of the Convention will, in broad terms:

- Make logistic arrangements for, and provide services and documentation to the meetings/sessions of the Committee;

- Compile, summarize and circulate reports submitted to it by Parties and organizations;

- Supervise any inter-sessional work in support of the Committee;

- Provide the Committee such legal advice as may be required;

- Assist the Committee in its cooperation or contacts with similar bodies of other Conventions of Rio Generation.

## E. SUGGESTIONS ON HOW TO REVIEW THE IMPLEMENTATION OF THE CONVENTION

15. There are several ways in which one can approach the question of how to review the implementation of the Convention. Rather conservatively, one could argue that reading the reports submitted would be sufficient to review the implementation of the Convention - however, this would not tell us much about efforts made by affected countries without a comparative analyse of countries, subregions and regions.

16. One could argue that reviewing the implementation of the Convention would mean to look at the actual success of strategies or, more clearly, at progress made in eliminating the identified obstacles.

17. One option of a possible review of the implementation of the Convention would therefore be to focus on elements of the structure or format provided by the decision 11/COP.1, taking into account the degree of development of action programmes and other relevant circumstances and drawing conclusions and propose concrete recommendations on further steps in the implementation of the Convention. Such conclusions and recommendations should constitute the basis for the elaboration of decision to be adopted, in this framework, by the Conference of the Parties.

## CONCLUSION

18. The review of the implementation of the Convention shall be a permanent and integral part of the work of the Conference of the Parties at its ordinary sessions. Starting by the year 2000, the Conference of the Parties should be able to evaluate the progress made by affected developing countries, the support provided by the donors community and the effectiveness of strategies envisaged in the provisions of the Convention.

19. The mainstreaming of combating desertification and/or mitigating the effects of drought in any development policies and strategies of affected developing countries is such an important prerequisite of sustainable development that no review or forward looking discussions can

sensibly be undertaken without a strong emphasis on reviewing progress made in implementing the Convention, identifying obstacles towards implementation and identifying feasible strategies to overcome them.

20. The review of the implementation of the Convention should be conducted as a formal, inclusive and transparent exercise with the participation of all Parties; and non-State actors, particularly NGOs and international and intergovernmental organizations. In any case, Parties will continue to have the main responsibility for achieving progress on the implementation of the Convention, but they need to build stronger likes or partnerships with civil society in general, and with NGOs and the private sector in particular.

21. Finally, the review of the implementation of the Convention should be always seen as an opportunity to evaluate progress made, to look forward and to include an emerging and difficult issues in the discussions, in order to focus recommendations on further steps in the implementation on eradication of poverty as central strategy to combat desertification and mitigate the effects of drought and on achievement of sustainable development in affected developing country Parties.

## F. PORTUGAL ON BEHALF OF THE EUROPEAN UNION AND ITS MEMBER STATES

### REVIEW OF THE IMPLEMENTATION OF THE CONVENTION

1. Taking into consideration that:

(a) The Convention gives the COP the mandate to review its implementation, with the contribution of its Committee on the Whole (COW), the Committee on Science and Technology (CST) and the Global Mechanism (GM);

(b) This task was first carried out at COP.3 with the review of the reports pertaining to Africa, and the end result showed some dissatisfaction and even frustration from some of the 41 countries that had been involved in the preparation of National Action Programmes (NAPs), of regional and subregional reports and of developed country reports;

(c) To achieve the desired goal it is necessary to improve the reporting procedures building on the current institutional framework of the Convention;

(d) By Decision 6/COP.3 an ad hoc working group was established to review and analyse in depth, at COP.4, reports submitted at COP.3 and reports which will be submitted at COP.4, in order to draw conclusions and propose concrete recommendations on further steps in the implementation of the Convention;

(e) Each subsidiary body of the Convention has its own mandate and experience so far does not show the need to establish any additional body.

2. Considering also that:

(a) There is a tradition of bilateral cooperation between many desertification affected countries and donor countries;

(b) The CCD should be a means of adding value to bilateral and multilateral relations already in place.

3. The European Union and its Member States consider:

(a) The need to fully explore the potential of the bodies created by the Convention, namely the COW, the CST and the GM;

(b) The convenience of adopting appropriate organizational measures drawing from lessons from COP.3;

4. Therefore:

(a) The working group should be of a limited size for reasons of efficiency and effectiveness;

(b) It should be composed on the basis of regional representation of the Parties and should also be able to take advantage of the expertise of the Secretariat, CST, GM and NGOs;

(c) It should take into account not only national reports, but also the other reports on implementation foreseen in (a) and (b), No. 2, article 22 and article 26 of the Convention;

(d) When defining criteria for its review of implementation, the working group should take into account the obligations under articles 4, 5 and 6 of the Convention, as well as the relationship with other conventions dealt with in its article 8;

(e) It should also take into account the role played by multilateral relations among affected countries and developed donor countries, it addition to the role already played by bilateral relations;

(f) The terms of reference of the ad hoc working group, its composition and working methods should be formally agreed at an early stage of the fourth session of the COP to provide it with enough time to accomplish its tasks;

Final observation

The EU is keen that the ad hoc working group should work efficiently and effectively at COP.4 and subsequently. We therefore encourage all regional groups to take steps, before COP.4, to prepare for the work of the ad hoc working group.

This might include:

- working to agree how their respective regional group might be represented on a working group of limited size;
- the drawing of key lessons from reports submitted to the COP;
- consideration of how to enhance implementation.

## G. SAUDI ARABIA

The Ministry for Agriculture and Water of the Kingdom of Saudi Arabia is of the opinion that the formation of a committee or body to supervise and control the implementation of the United Nations Convention is too early, since on national, regional and subregional level the implementation has not really started.

The reasons for this are several obstacles and different problems, for example that a lot of countries concerned did not prepare now their national strategies and programmes for the implementation of the mentioned agreement.

On the other hand, the international institution, which is responsible for the procurement of capital and financing of the implementation of the agreement, is still in the stage of foundation.

For these reasons the Ministry for Agriculture and Water of the Kingdom of Saudi Arabia suggests to wait with the formation of a committee or a body to monitor and supervise the implementation of the Convention of the United Nations.

## H. SWITZERLAND

### IMPLEMENTATION REVIEW COP.4: PROPOSALS ON THE AD HOC WORKING GROUP

**1. Substance and organization of work**

First, it is important to establish the implementation review process as an open, flexible, experience-sharing and lessons-learned process, and NOT a compliance assessment. Its purpose is to contribute advice to parties to improve implementation, as in article 22 of the Convention. Therefore, the output product, instead of a decision or recommendations as it occurred at COP.3, should be an assessment of implementation including an overview of important lessons learned.

The substance of the implementation assessment will be in part determined by the selection of the lens by which review is undertaken: it should be geographic (regional, subregional, and perhaps even country level - where lessons are apparent) and probably also thematic (based on key themes identified in the Convention) as well as sectoral based on sectors of intervention identified in a plurality of NAPs.

The review could proceed according to established themes, and guided by the benchmarks and indicators. For example, the involvement of civil society (including women), the enactment or review of policies to create an enabling environment, financial issues, scientific and technological issues (traditional knowledge, early warning systems), etc. A key substantive element is the contribution of the NGO community both in terms of their involvement in the assessment of NGO implementation and/or their involvement in the national implementation process.

The output AHWG Report should reflect the raison d'être and the substantive directions identified by parties. It could be drafted by the chairperson(s) of the AHWG with assistance from the Secretariat, and if possible, input from subsidiary bodies, particularly the CST, as well as representatives of the NGO community.

This document could then be submitted to the COP for approval, along with any procedural recommendations deemed necessary for further improvement of the implementation review process.

## 2. Modalities of participation

Representative body: in order to allow for active discussion, and to avoid over-stretching delegations' capacities, participation to the AHWG should be restricted. It should be limited to W of developing countries per subregion (only those which have submitted reports), X from developed donor countries, and it should include Y representatives from the NGO community, as well as a representative from the Global Mechanism and the Secretariat.

## 3. Administrative issues and logistics

Number of days

Given the number of reports submitted at COP.3, and the commitment to review all regions (including Africa) at COP.4, the AHWG should be allocated a minimum of four days on the agenda.

The consideration of activities of NGOs typically included on the official agenda (two half-day sessions) should be maintained in addition to time allocated to the AHWG.

An additional one-day session should be provided for the AHWG to conduct an assessment of the review process and make recommendations pertaining to future reviews. This assessment could take into account submissions made by Parties as per decision 6/COP.3, as well as experience gained from the COP.4 review and relevant lessons learned.

Location on agenda

These four days should occur in the first week of the COP, in parallel to the CST meeting. Each region to be given a day (Africa, Latin America and Caribbean, Asia, Mediterranean and other affected countries), with review of developed country reports interspersed over these four days.

**4. Input**

Implementation review at COP.4 should primarily be based on review of reports submitted by Parties, also it should consider reports submitted by NGOs, IGOs, and subsidiary bodies of the CCD according to the same subregional and thematic foci.

The role of the secretariat in this review process, in terms of preparatory analysis, could be substantially more important than in the past. Responsibilities could include:

- communicating to Parties the proposed procedure for the review to take place at COP.4, and requesting regional groups to undertake advance identification of designated of regional/subregional representatives to participate in the AHWG;

- communicating with these designated country/regional representatives to request the preparation of analytical pieces to be presented at COP.4;

- in addition to compilation, the Secretariat could be required to undertake some preliminary analysis based on reports and to propose a "working document skeleton" to be used by the ADWG drafting group. This structure might already contain the framework for regional/subregional focus, the identification of the prominent themes and/or sectoral issues as well as a lessons learned section with an initial compilation of already stated lessons learned for review.

## I. TURKEY

The establishment of the Committee is necessary for the effective implementation of the decisions 6/COP.3 and 8/COP.3.

The Committee for the review of the implementation of the Convention should be open to the participation of all Parties of the Convention and the NGOs should have the observer status at the Committee.

The sub-committees should be established with respect to Annexes of the Convention for the preparation of reports concerning the review and appraisal of the implementation of the Convention. These reports should be submitted to the Secretariat by the Committee at the Conference of the Parties.

The other options for the preparation of the above-mentioned reports are the establishment of an Ad Hoc Working Group having the responsibilities of the said Committee or the assignment of Parties, NGOs and international organizations for the preparation of the reports.

All of the above-mentioned units envisaged for reporting process requires complete identification paving the way for effective participation of parties.

## J. UZBEKISTAN

The Government of the Republic of Uzbekistan supports the proposal in question and believes that the review committee should include representatives of all States Parties to the Convention. The Government of Uzbekistan also suggests that the mandate of this committee should include a provision to monitor transboundary desertification processes.

# IV. SUMMARY OF SUBMISSIONS

## A. Foreword

12. Most of the written proposals are descriptive while some provide critical and evaluative analysis. There is, however, sufficient basis to draw conclusions on trends on how Parties view the ongoing process to review implementation of the Convention.

13. It should be indicated that this synthesis note might not reflect every single point of individual submissions. With this note, the secretariat intends to underline how, according to Parties, already existing or future institutions and mechanisms to implement the Convention should function and collaborate with each other. Parties and interested institutions are thus invited to look at the individual contributions in detail.

14. As mentioned previously, Parties in their submissions did not only express views on the need for the establishment of a committee to review implementation of the Convention, but also indicated the way in which the ad hoc working group, established by decision 6/COP.3, should operate to enhance the implementation process.

15. Since the secretariat was able to synthesise Parties' comments, this section shows some degree of convergence on the mandate, objectives, coverage and functions of a committee to review the implementation of the Convention. This section also outlines possible institutional and procedural arrangements necessary for the performance of its functions, and indicates where further discussion is required about the various institutional and procedural aspects. Other issues may emerge during the discussions, for example in areas where Parties and other interested institutions have not yet expressed any views.

16. All written proposals support the enhancement and improvement of the implementation review process of the Convention. Comments and deliberations focus subsequently on the modalities and structure of this process to best ensure its performance and efficiency.

## B. Summary of written proposals received from country Parties

### *1. Principles governing the review of the implementation of the Convention*

17. The guiding principles towards achieving the objectives of the Convention are enumerated in article 3. These principles chiefly concern ensuring participation of populations and local communities in the decision on the design and implementation of programmes to combat desertification and drought, improve cooperation and coordination at regional, subregional and international levels, develop a better understanding of the nature and value of

land and scarce water resources in affected areas and work towards their sustainable use, taking into full consideration the special needs and circumstances of affected developing country Parties, particularly the least developed among them.

18. In general, Parties affirm that principles that should govern the review of implementation should be broad and global in their application. There is agreement in affirming that this process should be conducted as a formal, inclusive and transparent exercise with the participation of all Parties; and non-State actors, particularly NGOs and intergovernmental organizations. Other submissions indicate that it should also be open, flexible, experience-sharing and lessons-learned process.

19. There is also broad consent that the implementation review process should be based on facilitative arrangements that would provide advice and assistance to any Party experiencing difficulty in complying with its commitments under the Convention. Submissions suggest that the process should aim at sharing experiences and learning lessons to improve implementation and not necessarily at establishing a compliance system.

### *2. Justifications and need to establish a committee to review the implementation of the Convention (CRIC)*

20. Almost all submissions recognize that the effectiveness of the review process is of capital importance to enable Parties to assess trends and progress in the implementation of the Convention, as well as to identify ways to enhance it by sharing experience and lesson learned.

21. There is a common understanding that the implementation review process initiated at COP.3 needs to be further improved. Based on the contribution of most Parties, the first experiences proved to be unsatisfactory, due to the superficiality of analysis and quality of outcomes.

22. Consequently, some Parties see the need to establish a subsidiary body to the Conference of the Parties. The immediate advantage of creating a committee entrusted with a flexible process to review implementation is that it would help to overcome constraints regarding time and agenda limitations, lack of depth of analysis and expected outcome. On an intersessional basis, this body could undertake an exhaustive process and transmit timely its findings to the COP for consideration.

23. Other submissions stress that the establishment of an additional permanent subsidiary body could be premature, since the potential of the existing mechanisms and bodies (Committee of the Whole, the Committee on Science and Technology and the Global Mechanism), in accordance with their own mandates, has not been fully explored yet. The establishment of an ad hoc body would avoid the cost and heaviness of a formal permanent body, while ensuring similar results and output. One Party stresses the fact that creating a subsidiary body would also entail a formal redistribution of duties and responsibilities among existing bodies.

24. In general, there is broad recognition of the need for reviewing the existing institutional mechanisms to deal with the question of the implementation review. Viewpoints are somewhat divided as to the nature, composition, functions and regularity of meetings of this body.

*3. Mandate of the committee*

25. As recalled in various submissions, pursuant to articles 22 and 26 of the Convention, the Conference of the Parties remains the supreme body of the Convention. Thus the committee to review the implementation of the Convention should be under the authority and guidance of the Conference of the Parties. As envisaged in several submissions, the committee's role would be one of presenting its findings and recommendations to the Conference of the Parties, which decides how to proceed in each case.

26. In accordance with one proposal, the major tasks of the committee should be as follows:

(a) To analyse in depth reports submitted by Parties as well as by relevant organs, funds and programmes of the United Nations system and other intergovernmental and non-governmental organizations in order to draw conclusions and propose concrete recommendations on further steps in the implementation of the Convention;

(b) To address problems stemming from poor implementation of agreed measures;

(c) To identify any need for adjustments to action programmes, projects and activities;

(d) To contribute to maintaining an institutional record of emerging and difficult issues deriving from implementation.

27. Another submission calls also for:

(a) Providing an assessment of the financial resources and other supports received by affected developing counties to the achievement of the objectives of the Convention;

(b) Informing the donors and international community about the use of resources and other supports provided to affected developing countries to implement the Convention.

28. The committee could also recommend ways and means of improving procedures for communication of information and the quality of reports submitted to the Conference of the Parties.

29. Finally, most submissions suggested that the committee should also deal with the design of comprehensive procedures and mechanisms to ensure full and effective implementation.

*4. Composition of the committee*

30. Some comments show a preference for an institutional instrument limited in size for efficiency and effectiveness. Consequently, it should be composed on the basis of regional representation including the non-governmental community, the Committee on Science and Technology, Global Mechanism and the secretariat. Most proposals though do not voice views on this matter.

31. One approach advocated by some Parties is for the establishment of a body in which participation should be restricted to allow active discussion and avoid over-stretching the capacities of delegations. The committee should comprise delegates of developing country Parties per subregions and Parties which have submitted their reports, developed country Parties and representatives of non-governmental organizations, the Committee on Science and Technology, the Global Mechanism and the secretariat.

32. Another contribution speaks for the establishment of an open-ended permanent subsidiary body. The latter proposes that the committee should be open to the participation of all Parties and observers to the Convention including international, intergovernmental and non-governmental organizations. This arrangement would not differ substantially from the existing review by the Committee of the Whole.

*5. Criteria and methodology to conduct the review*

33. When defining criteria to review implementation, several brief statements were made. Some consider that it should be taken into account:

(a) Not only national reports, but also the other reports on implementation foreseen in subparagraph 2, (a) and (b) of article 22 and article 26 of the Convention;

(b) The relationship with other conventions dealt in article 8 of the Convention;

(c) The role played by multilateral relations among affected country Parties and developed country Parties in addition to the importance played by bilateral relations.

34. Some Parties observe that reports from non-governmental organizations and intergovernmental organizations can also help greatly in reviewing and enhancing implementation.

35. The way in which information is examined will depend on the type of review that is expected from the implementation process. Among the possible approaches it was proposed to proceed geographically (regional, subregional, interregional) and/or thematically or sectorally (based on sectors of intervention identified in the National Action Programmes).

36. As recalled in one submission, in defining methodologies to conduct the review of country reports, the COP may wish to consider using implementation indicators.[2]

*6. Frequency and duration of meetings*

37. A number of Parties believe that meetings or sessions of the committee should be organized in parallel with the ordinary sessions of the Conference of the Parties. Due to time limitation of official COP meetings, others propose inter-sessional meetings so as to discuss questions on implementation in a more efficient manner.

38. As to the agenda and organization of work of the committee, the Parties agree in wanting to allot enough room to enable in-depth and detail analysis and deliberations.

39. Some Parties consider that a minimum of one day per region should be allocated on the agenda during the first week of the Conference of the Parties. An additional day should be provided to allow the committee to conduct an assessment of the review process. Early review of reports will allow a drafting group to perform its work in the second week.

*7. Output*

40. According to some Parties, the process of review of implementation aims at providing advice to Parties to improve implementation as stated in various provisions of the Convention. Therefore, the output product of the committee, beyond decisions or recommendations as occurred at COP.3, should be an ongoing assessment of implementation including a synthesis in due time of important lessons learned.

*8. Financial implications*

41. As recalled in one submission, the establishment of a formal additional subsidiary body would have some financial implications, as it necessitates a functioning bureau. Inter-sessional meetings of the committee would also imply substantive additional cost by itself and might have repercussion on frequency of meetings of other subsidiary bodies.

42. According to a submission, the costs for the functioning of the committee should be provided under the core budget on the chapter titled "Resource requirement for substantive support to the Conference of the Parties and its subsidiary bodies". As mentioned before, other Parties are in favour of establishing an ad hoc organ that, in their view, would avoid some of the costs and heaviness to the system of a permanent body.

*9. Role of the secretariat*

43. Some written proposals see the secretariat as taking a more significant role in the compilation, summary and analysis of information pertaining to the review process.

44. In addition to the tasks defined in decision 11/COP 1, the secretariat could also be requested to undertake some preliminary analysis of reports submitted to the COP and to propose working documents to be used as a basis of discussion. This document might provide a framework for regional/subregional focus, the identification of the prominent themes and/or sectoral issues as well as a lessons-learned section for review.

Notes

[1] Reproduced without formal editing by the UNCCD secretariat.

[2] As outlined, inter alia, in ICCD/COP(2)/CST/3 and Add.1.

---